

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDWARD ALVARADO, et al.,

Plaintiffs,

v.

FEDEX CORPORATION,

Defendant.

No. C 04-0098 SI, No. C 04-0099 SI

Related Case: C 03-2659 SI

**ORDER VACATING TRIAL DATE**

As the parties are aware, between October 25, 2005 and December 19, 2005, the Court heard oral argument on fifteen motions for summary judgment filed by defendants. These motions seek summary judgment on all claims alleged by all thirteen plaintiffs remaining in these two cases. Because the motions raised numerous issues that were common to all remaining plaintiffs, the Court has deferred ruling on these motions until all motions were fully submitted to the Court. The Court is now in the process of deciding these motions, and will issue decisions shortly.

It is likely that the Court's orders on the summary judgment motions will substantially narrow the issues to be decided at trial. Accordingly, in order to provide the parties sufficient time to prepare for trial based on the narrowed scope of the cases, and because procedural questions remain about how to try these joined cases, the Court hereby VACATES the January 30, 2006 trial date. After the Court issues the summary judgment orders, the Court will schedule a case management conference with the parties to select a new trial date.

**IT IS SO ORDERED.**

Dated: January 4, 2006

  
SUSAN ILLSTON  
United States District Judge